

**KENTUCKY DEPARTMENT OF EDUCATION  
STAFF NOTE**

**Action/Discussion Item:**

Request from the Fayette County Board of Education for waiver of the timeline requirements for the leadership assessment set forth in 703 KAR 5:180, Section 2(1) and Section 3(1) and approval of the waiver for other districts in similar circumstances

**Applicable Statute or Regulation:**

KRS 156.160, KRS 160.346, 703 KAR 5:180

**Action Question:**

Should the Kentucky Board of Education (KBE) approve the request for waiver of the sixty-day timeline from the point of a school or district's identification as a persistently low-achieving school and the completion of the leadership assessment as required by 703 KAR 5:180 and approve the waiver for other districts in similar circumstances?

**History/Background:**

*Existing Policy.* KRS 160.346 requires the KBE to promulgate regulations to establish the processes and procedures for implementing the interventions required of persistently low-achieving schools. 703 KAR 5:180 addresses that requirement by outlining in greater detail the specific steps that must occur and the timelines for those actions. One of the initial steps to be taken is conducting of the leadership assessments within sixty days from the point of a school or district's identification as persistently low-achieving to determine the functioning of school and district governance structures and the capacity of leadership to lead the interventions.

KRS 156.160 (2) allows a local board of education to request in writing that the KBE waive certain administrative regulations promulgated by the KBE provided certain criteria are met. The Fayette County School District has requested a waiver of the requirement that leadership assessment(s) occur within sixty days of notification of identification. During the same time period, the school district has also agreed to participate in a KDE-sponsored pilot of the AdvanceEd ASSIST electronic planning and evaluation process. Because of the extensive preparation and staff time both processes require, and the potential to negatively impact student learning if the district is required to complete both processes simultaneously, the district is requesting a waiver of the timeline.

As currently scheduled, the leadership assessment of Bryan Station High School is required to take place during the same general timeframe as the Fayette County AdvancEd diagnostic review pilot. Granting an extension will allow both assessments to be fully and accurately completed without imposing an undue burden on school and district routines. It will allow sufficient time to gather stakeholder input on district and school effectiveness through both systems, as well as match the two sets of input from parents, students and community members to compare the

perceptions gathered from each process. Following completion, it will enable KDE to bridge the two assessments, develop a crosswalk between the two formats and work toward possible transition to a single system. Granting the waiver will also allow for a comparison and analysis of the results from both to more completely inform the district as it addresses planning priorities.

The official approval of this waiver request is being placed on the November 21 Fayette County Board's agenda and a letter from the superintendent with confirmation of approval will arrive prior to the December 7 KBE meeting. The documentation will be provided to the KBE once it arrives.

Additionally, due to the positive impact that waiving this requirement will have on the quality of school and district data and decision making and the increased number of schools requiring leadership assessments this year that will impact KDE staff's workload, the board is being asked to exercise its authority to extend this waiver to other districts in similar circumstances for a specified period of time. Less than ten districts are expected to need this waiver, which would expire after April 30, 2012. By so doing, it will eliminate the need for multiple requests to the board.

**Staff Recommendation and Rationale:**

Staff recommends approval of the requested waiver for the Fayette County School District as well as for the other districts in similar circumstances with expiration of the waiver occurring after April 30, 2012. The positive impact on data quality and decision making plus the elimination of the need for multiple requests supports approval.

**Impact on Getting to Proficiency:**

Granting a waiver of the sixty-day timeframe for completing the leadership assessments will result in the availability of additional reliable data to inform the districts' plans to increase achievement, reduce gaps, and continuously improve the performance of their students.

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**Commissioner of Education**

**Date:**

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